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Illinois Commerce Commission
RAIL SAFETY SECTION

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Indiana Harbor Belt Railroad Company, The Village of LaGrange :
The Village of LaGrange Park, The Village of McCook, The :
Village of Brookfield, and the State of Illinois, Department of :
Transportation. :

Stipulated Agreement regarding improving public safety at the :
Crossings of the Company's tracks with public highways known :
as East Avenue, and 47th Avenue, located in LaGrange, McCook :
and Brookfield, designated as crossings DOT 326850T, milepost :
29.43-A, DOT 326 851A, milepost 29.46-A, Cossit Avenue, :
Lincoln Avenue, and Shawmut Avenue located in LaGrange, :
designated as crossings DOT 326 852G, milepost 30.00-A, :
DOT 326 853N, milepost 30.13-A, and DOT 326 855C, milepost :
30.49-A, respectively; and, Harding Avenue and 31st Street :
located in LaGrange Park designated as crossings DOT 326 857R, :
milepost 31.00-A, and DOT 326 859E, milepost 31.52-A, :
respectively all located in Cook County, Illinois. :

T02-0057

SUPPLEMENTAL PETITION

Now comes the Petitioner, INDIANA HARBOR BELT RAILROAD COMPANY
("IHB") by and through its attorneys, MARY LOUISE KANDYBA and DALEY &
MOHAN, P.C., and for its Supplemental Petition in this cause, states as follows:

1. On June 19, 2002 the Illinois Commerce Commission ("Commission")
entered an Order in this docket which required Petitioner IHB to make safety
improvements at certain crossings, specifically East Avenue, and 47th Avenue, located in
LaGrange, McCook and Brookfield, designated as crossings DOT 326850T, milepost
29.43-A, DOT 326 851A, milepost 29.46-A, Cossit Avenue, Lincoln Avenue, and
Shawmut Avenue located in LaGrange, designated as crossings DOT 326 852G, milepost
30.00-A, DOT 326 853N, milepost 30.13-A, and DOT 326 855C, milepost 30.49-A,
respectively; and, Harding Avenue and 31st Street located in LaGrange Park designated
as crossings DOT 326 857R, milepost 31.00-A, and DOT 326 859E, milepost 31.52-A,

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NOV - 8 2005

respectively all located in Cook County, Illinois.

2. Pursuant to said Order, all work was to have been completed on or before June 19, 2003.

3. Due to funding difficulties at IHB, capital funds did not become available to complete this project until April, 2003. It was not until funding became available that Petitioner could begin to design and schedule the work.

4. Since that time, the following crossings have been completed and placed in service since the date of that Order: (a) 31st Street, DOT 326 859 E was completed and placed in service on September 23, 2004; (b) Harding Avenue, DOT 326 857 R was completed and placed in service on September 24, 2004; (c) 47th Street, DOT 326 850 T was completed and placed in service on October 5, 2004; and East Avenue, DOT 326 852 G was completed and placed in service on October 5, 2004.

5. The following crossings have had new crossing warning devices, including automatic flashing light signals and gates as required by the Commission's Order, installed: (a) Shawmut Avenue, DOT 326 855 C, crossing warning devices were placed in service on June 21, 2004; (b) Lincoln Avenue, DOT 326 853 N, crossing warning devices were placed in service on May 26, 2004; and, (c) Cossit Avenue, DOT 326 851 A, crossing warning devices were placed in service May 26, 2004.

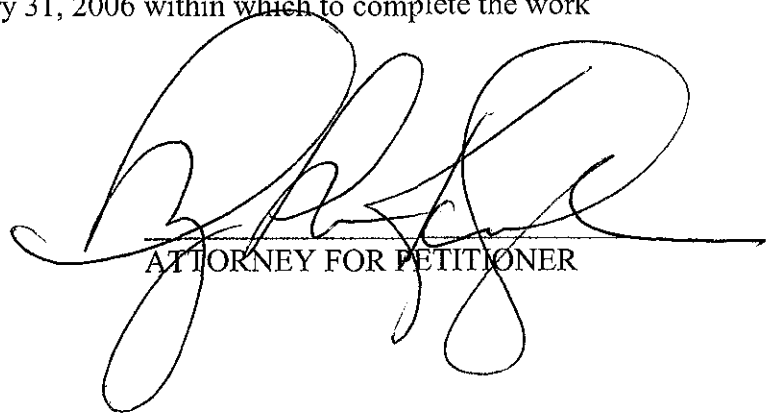
6. The only work that remains outstanding at Shawmut Avenue, Lincoln Avenue and Cossit Avenue crossings is the completion of additional signal work, which has been delayed because of frequency interference with existing coded track circuits. Initially, IHB was told by its outside contract that the existing warning system controls at these crossings were designed to work with all frequencies. However, once the

installation was begun, it was discovered that the new warning system controls were not designed to work with those frequencies, necessitating additional signal design work. IHB has been waiting for its outside signal design contractor to complete the work so that the crossing installation can be completed in its entirety.

7. The motoring public has not been harmed or endangered as a result of IHB's inability to complete the work within the time originally required by the Commission's Order since, at the present time, all the crossings are open and in service, and all crossings are working with the newly installed automatic flashing light signals and gates. The only difference is that the crossings are working on the old controls pending the completion and installation of the new signal design system.

8. It is in the best interests of public safety, convenience and necessity that IHB be granted additional time, to January 31, 2006, within which to complete the control circuit work at the remaining three crossings that were the subject of the Commission's 2002 Order.

WHEREFORE, the Petitioner, INDIANA HARBOR BELT RAILROAD COMPANY, respectfully prays for the entry of a Supplemental Order granting it an extension of time to and including January 31, 2006 within which to complete the work as aforesaid.



ATTORNEY FOR PETITIONER

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CERTIFICATE OF SERVICE

Mary Louise Kandyba states that she is the Attorney for the Petitioners in the foregoing cause, and that she served the foregoing Petition on the following:

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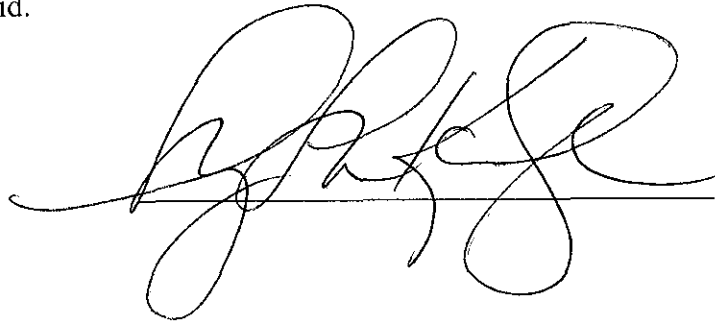
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by depositing a true and exact copy of same addressed to the above in the United States
Mail at 150 North Wacker Drive, Chicago, Illinois 60606 before 5:00 p.m. on November
7, 2005 with proper postage prepaid.

A handwritten signature in black ink, appearing to be "M. Stead", written over a horizontal line.